

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/708,712 Confirmation No.: 2711
Applicant: : John S. Fisher
Filed: : 03/19/2004
TC/A.U. : 3736
Examiner : Charles Alan Marmor II

Docket No. : 1139.20.DIV3
Customer No. : 21901
For : Method for Scraping Cellular Material from Tissue

Faxed to Technology Center 3700 at (703) 872-9302
Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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SEP 24 2004

AMENDMENT A**Introductory Comments**

Sir:

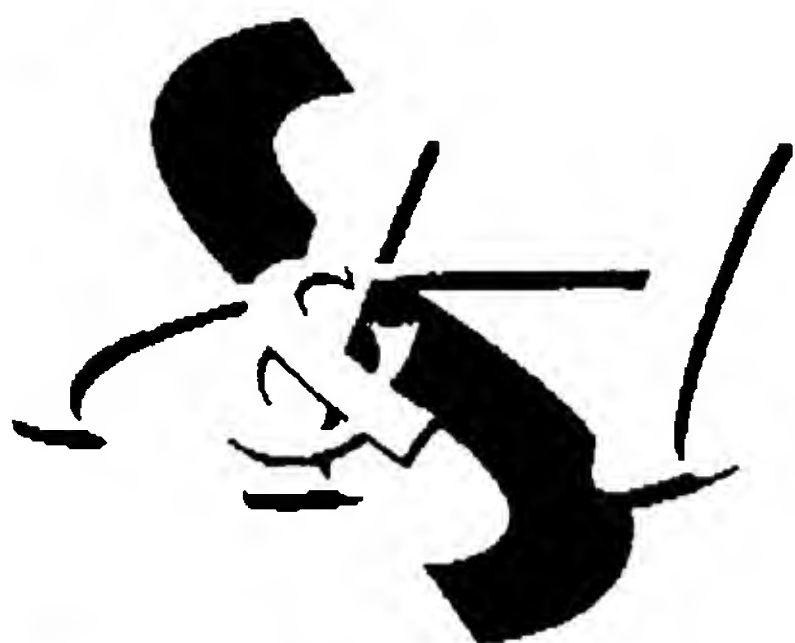
In response to the Examiner's Action mailed 06/29/2004, having a shortened statutory period for response set to expire 09/29/2004, the above-identified patent application is amended a first time as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims that begins on page 4 of this paper.

Remarks begin on page 6 of this paper.

SEP 24 2004



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INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Ronald E. Smith
Attn:	Charles Alan Marmor II - Art Unit 3736	Client:	1139.20.DIV3
Fax:	(703) 872-9302	Pages:	11 including coversheet
Phone:	(703) 305-3521	Date:	September 24, 2004
Re:	USPN 10/708,712	CC:	John S. Fisher, M.D.

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Examiner Marmor:

In response to the non-final office action mailed June 29, 2004, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated September 24, 2004 (2 pages); and
- 2) Amendment A with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated September 24, 2004 (8 pages).

Very respectfully,

Ronald E. Smith
Reg. No. 28,761

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AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is an independent inventor. A statement was already filed.

EXTENSION OF TERM

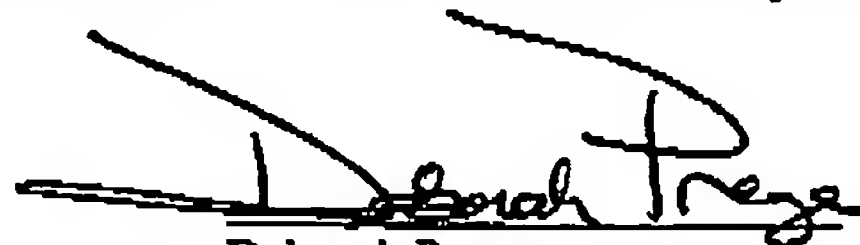
3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this Amendment A, including Introductory Comments, Amendments to the Specification, Amendments to the Claims, and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3736, Attn: Charles Alan Marmor II, (703) 872-9302 on September 24, 2004.

Dated: September 24, 2004


Deborah Preza

(Amendment Transmittal—page 1)

FEE FOR CLAIMS

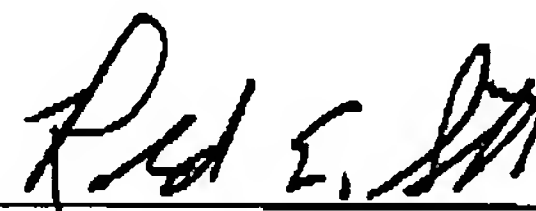
4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	1	Minus	20	= 0	x \$9 =	\$0
Indep.	1	Minus	3	= 0	x \$43 =	\$0
First Presentation of Multiple Dependent Claim					+ \$145 =	\$0
					Total Addit. Fee	\$0

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 - ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
 - *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,



SIGNATURE OF PRACTITIONER

Reg. No. 28,761
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(Amendment Transmittal—page 2)